

Code of Conduct

For Artform Board Members

Create NSW
Department of Premier and Cabinet

August 2019

Contents

Introduction	3
1. Personal and Professional Behaviour	3
2. Official and Confidential Information	3
3. Use of Official Facilities and Equipment	4
4. Conflicts of Interest	4
5. Gifts, Gratuities and Hospitality	4
6. Alcohol and Drugs	5
7. Intellectual Property	5
8. Public Comment	5
9. Breaches of the Code	5

Introduction

When you serve on an Artform Board, you have an obligation to act in the public interest. Your work with the Artform Board will involve access to confidential and/or sensitive information. You are required to demonstrate standards of professional behaviour that will preserve public trust.

This Code of Conduct (the Code) has been developed to assist you in understanding your obligations and Artform Board expectations and requirements.

1. Personal and Professional Behaviour

You are expected to always:

- adhere to this Code
- adhere to the values of Create NSW
- be honest, reasonable, fair and sensitive in your dealings with members of the public, other panel members and Create NSW staff
- give accurate and impartial advice to Create NSW and where applicable, implement its programs conscientiously
- follow relevant administrative requirements

2. Official and Confidential Information

During your appointment or work you may have access to sensitive, personal and/or commercially confidential information. This information could relate to Create NSW or Create NSW clients. You are expected to protect the integrity and security of information and documents for which you are responsible and to adhere to the principles of the *Privacy and Personal Information Protection Act 1998*.

This means that:

- you must be cautious and use sound judgement when discussing sensitive information
- you must treat email as carefully as hard copy information
- you may only disclose information that is normally available to members of the public
- documents, emails and electronic information must be properly and safely stored at all times
- you must not improperly collect, use or disclose the personal information of individuals such as clients or staff members
- you must not remove official information from Create NSW premises
- you may not use information for any purpose outside of your role as an Artform Board Member
- you may not use information gained in your professional capacity as an Artform Board Member for personal gain - you may use confidential or official information only in relation to your Board role and consistent with your obligation to act impartially and in the public interest
- information gained during your role must not be used to cause harm or detriment to Create NSW or any person

Misuse of official information or documents includes:

- seeking to take advantage of another person on the basis of information held in official records
- disclosing sensitive information, without proper authority
- disclosing or trading confidential information
- speculation in shares, commodities or property on the basis of confidential information about the affairs of a business or proposed Government actions

These requirements apply to any information you obtain during your engagement and continue after you

complete your appointed term. You are expected to maintain integrity and credibility when managing official and confidential information.

3. Use of Official Facilities and Equipment

You are expected to be efficient in your use and management of public resources and careful in your use of Create NSW property and services.

Create NSW communication devices, including the internet, may not be used to browse or download illegal, inappropriate or offensive material. When you use Create NSW systems, services or facilities the use must be appropriate, lawful, ethical and in accordance with relevant Create NSW policies.

4. Conflicts of Interest

You must make sure that your interests do not conflict with your responsibilities while you are appointed to an Artform Board.

A conflict of interest exists if a Board member during the past or upcoming 12 months:

- is/was/will be actively involved in the governance of an applicant organisation, as a member of a board of directors or steering committee
- is/was/will be a paid or unpaid staff member
- stands to gain financially from the funding of an application under review
- has a relationship with an applicant (or an individual that is a member of an applicant organisation) that could influence their ability to impartially assess an application

The above list is indicative only and there may be other situations that lead to actual or perceived conflict of interest.

It is your responsibility to avoid conflicts that could compromise the impartial performance of your role and to disclose potential, actual or perceived conflicts of interest to Create NSW. You must declare your interests at the commencement of your term and/or in your expression of interest and update Create NSW of any changes as they occur.

Create NSW will conduct probity checks for potential Artform Board members before they are appointed.

5. Gifts, Gratuities and Hospitality

You must avoid giving any indication that gifts, gratuities or hospitality relating to your work for Create NSW will be accepted, either for yourself or for any other person/body, or that these may influence decisions.

If any gift, gratuity or hospitality, other than a token kind is offered (or may be reasonably seen as given to influence your advice and recommendations), full and prompt disclosure must be made to Create NSW.

Invitations and ticketing to performances, exhibitions and events are exempt.

6. Alcohol and Drugs

You must take responsibility for ensuring the health and safety of yourself and others while conducting business on behalf of Create NSW. You are responsible for ensuring that you do not, by the consumption of alcohol or other drugs, endanger your own safety or the safety of any other person in the workplace.

Alcohol and other drugs include alcohol-based products, tobacco, illegal drugs and medically prescribed or non-prescribed substances, which adversely affect your conduct or work performance. Workplace means any place where work is performed.

You must not conduct business on behalf of Create NSW if you are under the influence of alcohol or other drugs likely to adversely affect your ability to do your work.

7. Intellectual Property

Intellectual property includes rights relating to activity in the industrial, scientific, literary or artistic fields.

All intellectual property created by you during your role is the intellectual property of Create NSW. You must provide Create NSW with complete copies of any reports, documents or other materials created in the course of performing your role.

8. Public Comment

Public comment includes public speaking engagements, comments on radio, television or to a journalist, views expressed in letters to newspapers, books, journals or internet sites and notices where the publication or circulation of the comment may spread to the community at large. Comments made in email messages via social media may also be interpreted as public comment.

You must not initiate contact with the media at any time and you must direct any media enquiries relating to Artform Board business to Create NSW staff. You must not attempt to respond to the enquiry under any circumstances. This includes comments made 'off the record'.

Outside your role at Create NSW you have a right to comment publicly on political and social issues, as long as you make it clear that you are not making an official comment on behalf of Create NSW, the Department of Premier and Cabinet, the NSW Government or your role on the Artform Board and that you are commenting as a private citizen. You should exercise sound judgment and extreme caution when commenting on areas associated with your engagement.

9. Breaches of the code

Create NSW may take action for any breaches of this code. Action may include termination of the engagement and in serious cases the matter may be referred to the police or other appropriate authority.